**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 550 OF 2005**

**AND**

**CIVIL APPLICATION NO. 4284 OF 2004**

**IN**

**FIRST APPEAL NO. 1311 OF 2002**

The Miraj Electric Supply ..Appellant

versus

Union of India & Anr. ..Respondents

Ms. N. Thate i/b. Mr. S. M. Oak for the Appellant.
Ms. S. V. Masurkar for the Respondents.

**CORAM : D. G. DESHPANDE,J.**

**DATE : 21ST OCTOBER,2005**

**P.C. :**

1. Heard.

2. Civil Application No. 550 of 2005 is for setting aside the order dated 17.12.2004 passed in Civil Application No. 4284 of 2004 and for restoring Civil Application No. 4284 of 2004, which

was for withdrawal of the amount deposited by the appellants. Order dated 17.12.2004 is set aside. Civil Application No. 4284 of 2004 is restored to file. Civil Application No. 550 of 2005 is allowed and disposed of.

3. So far as Civil Application No. 4284 of 2004 taken out by the applicant - original respondent is concerned, the respondent - decree holder prays for permission to withdraw the amount. It is a money decree. It is in their favour. Amount decreed is Rs.1,43,160/-, therefore they are permitted to withdraw 50% of the amount deposited before this Court. Civil Application disposed of.

21.10.2005 (D.G. DESHPANDE, J.)